



DANIEL HARRIGAN, MAYOR



Margo Sommerville, President

Jeff Fusco, Vice-President

Mike Freeman, President Pro-Tem

Members of Council:

Jeff Fusco, At-Large	Tara Mosley, Ward 5
Linda Omobien, At-Large	Brad McKittrick, Ward 6
Ginger Baylor, At-Large	Donnie Kammer, Ward 7
Nancy Holland, Ward 1	Shammas Malik, Ward 8
Phil Lombardo, Ward 2	Mike Freeman, Ward 9
Margo Sommerville, Ward 3	Sharon Connor, Ward 10
Russel Neal, Ward 4	www.akroncitycouncil.org

Council Agenda for January 09, 2023 DRAFT

Regular Meeting held on December 12, 2022. All members were present. Minutes of the previous meeting approved. Ayes: 12, Nays 0 (Neal abstained).

CONSENT AGENDA

- 1 ORDINANCE accepting a dedication plat for the Residences of Good Park, and a vacation plat for a portion of Kildare Road and W. Sunset View Drive; and declaring an emergency. (Planning & Economic Development)

RULES (M. Freeman, Chair)

NO ITEMS

BUDGET & FINANCE (M. Freeman, Chair)

NO ITEMS

PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)

UP FOR PUBLIC HEARING JANUARY 9, 2023:

1 ORDINANCE authorizing a Conditional Use to construct an oversized garage addition at 525 Glenway Drive; and declaring an emergency. (11/28/2022)

2 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1182 Tulip Street; and declaring an emergency. (11/28/2022)

UP FOR PUBLIC HEARING JANUARY 23, 2023:

3 ORDINANCE authorizing a Conditional Use to establish an auto dealership at 338 N. Arlington Street; and declaring an emergency. (11/28/2022)

4 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 393 E. Woodsdale Avenue; and declaring an emergency. (11/28/2022)

TIME:

5 D-576 Petition of Abraham Zabay for a Conditional Use to Establish an auto dealership at 338 N. Arlington Street (PC-2022-52-CU)

6 D-577 Petition of Yana Owens for a Conditional Use to establish a Type A daycare home at 393 E. Woodsdale Ave (PC-2022-70-CU)

7 D-579 Petition of Ja’Nae Young for a Conditional Use to establish a Type A daycare home at 1182 Tulip Street (PC-2022-68-CU)

8 D-580 Petition of Rick and Lesa Maconachy for a Conditional Use to construct an oversized garage additional at 525 Glenway Drive (PC-2022-67-CU)

9 D-560 Petition of LKQ Midwest for a Conditional Use to expand an auto salvage business at 1480 E. Archwood Avenue (PC-2022-55-CU)

10 ORDINANCE authorizing a Conditional Use to expand a business at 745 E. Archwood Avenue; and declaring an emergency. (9/12/2022) (Public Hearing was held 10/3/2022)

11 D-534 Petition of RVR Realty & Investment for a Conditional Use to expand a business at 745 E. Archwood Avenue (9/12/2022)

12 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)

- 13 ORDINANCE amending Title 15 “Land Usage”, Chapter 153, “Zoning Code” to reflect the enactment of the Title 15, Chapter 155 “Sign Code”; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
- 14 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)
- 15 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
- 16 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
- 17 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU) (9/13/21)
- 18 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 19 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)
- 20 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Section 153.140 “Definitions” and Section 153.310 “Business and Industry requirements” establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 21 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 22 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)

- 23 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 24 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)
- 25 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 26 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

FILED:

- 27 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle; and declaring an emergency. (9/12/2022) (Public Hearing was held 9/19/2022) Adverse Report. 10-1 (Mosley) (Neal and Omobien abstained)
- 28 D-578 Petition of Akron Zoological Park for a Conditional Use to construct a commercial facilities and grounds building at 389 Edgewood Avenue (PC-2022-69-CU)
- 29 D-581 Petition of Temple Hall Revival Group, LLC, for a Conditional Use to establish a special event center/banquet hall at 133 Merriman Road (PC-2022-72-CU)
- 30 D-519 Petition of Teonka Pickett for a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle (PC-2022-37-CU)

PUBLIC SERVICE (T. Mosley, Chair)

NO ITEMS

PUBLIC UTILITIES & GREEN (M. Freeman, Chair)

NO ITEMS

PUBLIC SAFETY (D. Kammer, Chair)

NO ITEMS

PARKS & RECREATION (P. Lombardo, Chair)

NO ITEMS

HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)

NO ITEMS

HEALTH & SOCIAL SERVICES (L. Omobien, Chair)

NO ITEMS

FILED

D-589 Notice of new D1 D2 D3 D3A Liquor Permit to Naron LLC DBA Vortex Concert Club & Lounge, 1165 Brittain Rd, Ward 2

D-592 Petition of Michael and Julie White for a Conditional Use to retain a three-unit apartment house at 69 Oakdale Avenue (PC-2022-75-CU)

D-593 Petition of Prime Retail Advisors, LLC, for a Conditional Use to establish a retail discount store at 1140 W. Portage Trail Extension (PC-2022-77-CU)

D-594 Petition of LKQ Midwest for a Conditional Use to expand an auto salvage business at 1430 and 1480 E. Archwood Avenue (PC-2022-79-CU)

D-595 White Pond Community Input Report from Save White Pond Organizers December 7, 2022

ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING

ORDINANCE NO. 341-2022 approving and authorizing the execution of a development agreement with FIDC 123, LLC providing for the redevelopment of the property located at 2003 Buchholzer Boulevard; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 342-2022 declaring certain improvements to real property located in the Chapel Hill Mall Redevelopment Area to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.40 to 5709.43 (the “Act”); and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 343-2022 authorizing the Mayor or his designee to enter into various contracts with Summit County, The University of Akron, and/or the City

of Fairlawn for the purchase and installation and maintenance of equipment, hardware, internet service, and software services necessary for the deployment of a public safety monitoring network in or around the off-campus housing area south of The University of Akron's campus; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 344-2022 authorizing a Conditional Use to establish a special event center/banquet hall at 133 Merriman Road; and declaring an emergency. (11/28/2022) Vote: 13-0.

ORDINANCE NO. 345-2022 authorizing a Conditional Use to construct a commercial facilities and grounds building at 389 Edgewood Avenue; and declaring an emergency. (11/28/2022) Vote: 13-0.

ORDINANCE NO. 346-2022 declaring certain improvements to real property located in the Downtown Area Redevelopment Area to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the "Act"); and declaring an emergency. (11/21/2022) Vote: 13-0.

ORDINANCE NO. 347-2022 declaring certain improvements to real property located in the Firestone Business Park / Cole Avenue Extension to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the "Act"); and declaring an emergency. (11/21/2022) Vote: 13-0.

ORDINANCE NO. 348-2022 declaring certain improvements to real property located in the Opportunity Park Urban Renewal District to be a public purpose and exempt from real property taxation; providing for the collection of service payments in lieu of taxes and the deposit of those service payments in the appropriate fund; providing for the payment of a portion of the service payments to the Akron Public School District, all pursuant to Ohio Revised Code Sections 5709.41 to 5709.43 (the "Act"); and declaring an emergency. (11/21/2022) Vote: 13-0.

ORDINANCE NO. 349-2022 authorizing the execution of a development agreement with White Pond Reserve, LLC, or its designee; providing for the acquisition, sale and development of property within the White Pond-Frank Blvd. Urban Renewal Plan area; finding such Property is not needed for any public use, and related findings; and declaring an emergency. (11/14/2022) (Substitute was

offered as an amendment 12/5/2022) Vote: 7-6 (Holland, Kammer, Malik, Mosley, Neal, Omobien).

ORDINANCE NO. 350-2022 amending Ordinance No. 81-2022, passed March 28, 2022, and Ordinance No. 315-2022, passed November 21, 2022, which established the annual appropriation for the current expenses, other expenditures and the capital outlays of the City of Akron for the fiscal year ending December 31, 2022; and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 351-2022 amending and/or supplementing Title 13, Chapter 135 “Offenses Against Persons,” Section 135.06 “Menacing” of the Akron Codified Ordinances in order to impose a mandatory minimum jail sentence for incidents of menacing against public employees and utility workers; and declaring an emergency. (12/5/2022) (Substitute offered as an amendment. See New Legislation Item No. 14) Vote: 12-1 (Neal).

RESOLUTION NO. 352-2022 expressing support for Ohio House Bill 456, which would decriminalize the possession of fentanyl testing strips; expressing thanks the Ohio House of Representatives for passing this life-saving legislation, encouraging the Ohio Senate to act upon this legislation before the end of the 2022 session; encouraging Governor DeWine to sign H.B. 456 into law; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 353-2022 authorizing the issuance of a bond of the City in a principal amount not to exceed \$15,500,000 for sale to the Water Pollution Control Loan Fund of the State of Ohio to finance the costs of Riverside Sewer Separation (CSO Rack 34) Project; pledging certain revenues from the City’s wastewater system on a subordinated basis to secure the payment of the principal of and interest on the Bond; and authorizing the execution and delivery of the Bond, the Trust Agreement and other documents and the taking of other actions related to the issuance and sale of the Bond; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 354-2022 authorizing the Purchasing Agent to enter into an agreement or agreements, without the formality of advertising for bids, for the purchase of miscellaneous supplies, services, repair parts, and labor for machinery and equipment used by various divisions and departments of the City for a period of one (1) year; authorizing payment therefor; and declaring an emergency. Vote: 12-0 (Holland abstained).

ORDINANCE NO. 355-2022 authorizing the Purchasing Agent to enter into a contract or contracts, after publicly advertising for bids, for the purchase of materials and services needed by the various divisions and departments of the City for a period of time not to exceed 5 years; approving the specifications therefor; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 356-2022 authorizing the Director of Finance to enter into an agreement or agreements with Systems & Software for support and maintenance of billing software for the Utilities Business Office in 2023, without the formality of advertising for bids; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 357-2022 authorizing the Purchasing Agent to enter into a contract or contracts, without the formality of advertising for bids, for the purchase of annual subscriptions and maintenance packages for the software currently used by various departments of the City through December 31, 2023; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 358-2022 authorizing the Purchasing Agent to enter into an agreement or agreements, without the formality of advertising for bids, with Amazon and WB Mason for the purchase of miscellaneous supplies and small dollar purchases used by various divisions and departments of the City for a period of one (1) year; authorizing payment therefor; and declaring an emergency. Vote: 12-0 (Holland abstained).

ORDINANCE NO. 359-2022 approving the donation of City-owned land at 40 Kent Street to the Battered Women's Shelter and/or Family Promise of Summit County; determining said property is not needed for public use; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 360-2022 amending Ordinance O-10-2022, the 2022 No-Bid Ordinance, to increase the amount authorized to spend with a vendor; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 361-2022 authorizing the Purchasing Agent to enter into an agreement or agreements, without the formality of advertising for bids, with Bob Sumeral Tire, Precision, Pneumatic, and Waterloo Transmission for the maintenance and replacement of the City's fleet of motor vehicles and equipment; authorizing payment therefor; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 362-2022 authorizing the Director of Public Service or his designee, after publicly advertising for bids, to enter into a contract or contracts for the installation of two previously purchased GBT screw pumps at the Water Reclamation Facility; and declaring an emergency. Vote: 13-0.

RESOLUTION NO. 363-2022 adopting the 2021 Portage County Hazard Mitigation Plan Addendum 1; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 364-2022 establishing the maximum hiring age for original appointments to the Akron Police Division at forty-five (45) years of age at the time of application; and declaring an emergency. Vote: 13-0.

COMMITTEE MEETINGS
Scheduled for January 9, 2022:

1:00 P.M.	Planning & Economic Development	2:30 P.M.	Health & Social Services
1:45 P.M.	Parks & Recreation	2:45 P.M.	Public Utilities & Green
2:00 P.M.	Rules	3:00 P.M.	Budget & Finance
2:00 P.M.	Public Service	Subject to call	Housing & Neighborhood Assistance
2:15 P.M.	Public Safety		

**NEW LEGISLATION WILL BE ADDED PRIOR TO THE
MEETING. PLEASE CHECK BACK FOR FINALIZED
AGENDA.**